



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2684

DATE SCANNED 9-16-13

SCANNER NO. 2

SCAN OPERATOR AMP

13092693104



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 MAR 29 PM 1:27

March 29, 2013

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: *RP* Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *JW* Jodi Winship/Sari Pickerall *JP*
Compliance Branch

SUBJECT: Reason To Believe Recommendation - 2012 30 Day Post-General Report
(Unauthorized Filers) For The Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file or timely file the 2012 30 Day Post-General Report in accordance with 2 U.S.C. § 434(a). The list is comprised of unauthorized committees that failed to file or timely file the 2012 30 Day Post-General Report.

The committees appearing on the 30 Day Post-General Report list either failed to file the report, within thirty (30) days of the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with 11 C.F.R. § 111.43, these committees should be assessed the civil money penalties indicated in the attachment.

In order to determine the level of activity for unauthorized quarterly filers that failed to file or failed to timely file the 30 Day Post-General Report, the Reports Analysis Division (RAD) used the following procedures and criteria:

- Every 30 Day Post-General Report (30 Day Report) submitted by an unauthorized quarterly filer that covered the period from October 1, 2012 through November 26, 2012 (57 days), was reviewed for activity which would have required the filing of a 12 Day Report. If our

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research indicated that the filing of a 12 Day Report was required, we utilized a two-step method to arrive at the estimated level of activity on which to base the fine amount. First, if the committee had any unitemized activity, a per diem level of activity was used by multiplying the total amount of activity on the report by 25% (17 days (12G Filing Period)/57 days (30G Filing Period)). The committees identified through this process as failing to file or failing to timely file the 12 Day Pre-General Report were included in the Reason to Believe Recommendation circulated to the Commission on March 28, 2013. If the same committee also failed to file the 30 Day Report in a timely manner, we based the 30 Day Report fine on the amount of the remaining level of activity. We arrived at this amount by subtracting the estimated level of activity for the 12 Day Report from the total amount of activity on the 30 Day Report. In these cases, the committees will also be assessed a fine for the 30 Day Reports based on the estimated levels of activity described above and are included on the attached list.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Reports violated 2 U.S.C. § 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Reports.
2. Send the appropriate letters.

Federal Election Commission
Reason to Believe Circulation Report
2012 POST-GENERAL Not Election Sensitive 12/06/2012 UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2671	C00420125	CHIANG PATEL AND YERBY INC PAC		DAVID W. HAYS	\$146,325	1	1/31/2013	Not Filed	\$2,000	\$312
2672	C00422352	CLEAN ENERGY PAC OF IBERDROLA RENEWABLES, INC.		RICHARD A GLICK	\$119,987	0	1/14/2013	Not Filed	\$25,473	\$990
2673	C00451518	CROWE PAC		ROBERT W. LAZARD	\$267,737	0	12/12/2012	6	\$24,149	\$140
2674	C00468009	EDWARDS WILDMAN PAC INC		KEITH KOTLER	\$418,082	0	2/22/2013	Not Filed	\$22,291	\$550
2675	C00163956	I.U.O.E LOCAL 15 POLITICAL ACTION COMMITTEE		ROBERT J. BURNS	\$756,776	0	12/28/2012	22	\$29,995	\$640
2676	C00495259	IMMIGRATION911, LLC		STANLEY P. DULL	\$505,587	1	2/13/2013	Not Filed	\$24,971	\$687
2677	C00354613	INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE		MARTIN MASCUILLI	\$109,509	1	1/30/2013	Not Filed	\$9,208	\$412
2678	C00417717	KENTUCKY FORWARD PAC		R. WAYNE STRATTON	\$116,770	0	2/6/2013	Not Filed	\$17,293	\$550
2679	C00426320	LIBERTARIAN PARTY OF INDIANA		TODD SINGER	\$175,056	3	1/31/2013	Not Filed	\$10,231	\$962
2680	C00357905	LOUISIANA SHERIFFS AND DEPUTIES POLITICAL ACTION COMMITTEE		MIKE CAZES	\$568,859	0	12/21/2012	15	\$23,867	\$185
2681	C00426809	MADISON PAC; THE		BRIAN J. AHERN	\$694,588	0	12/23/2012	17	\$20,236	\$195
2682	C00188011	NATIONAL TANK TRUCK CARRIERS INC POLITICAL ACTION COMMITTEE		WILLIAM A. USHER	\$114,493	0		Not Filed	\$1,747	\$250
2684	C00137794	PLUMBERS AND PIPEFITTERS LOCAL UNION #25 FEDERAL POLITICAL ACTION COMMITTEE FUND		W. THOMAS MCCUNE, JR.	\$111,293	0	12/13/2012	7	\$11,753	\$145

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2687	C00446674	WESTERN SUGAR COOPERATIVE POLITICAL ACTION COMMITTEE		J. KENT WIMMER	\$299,912	0	1/2/2013	27	\$2,000	\$160
2688	C00424150	WOMEN'S CAMPAIGN FORUM		SIOBHAN BENNETT	\$390,544	3	12/18/2012	12	\$82,160	\$3,080

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation –)
 2012 30 Day Post-General Report)
 (Unauthorized Filers) For The)
 Administrative Fine Program:)
 CHIANG PATEL AND YERBY INC PAC,) AF# 2671
 and DAVID W HAYS as treasurer;)
 CLEAN ENERGY PAC OF IBERDROLA) AF# 2672
 RENEWABLES, INC., and GLICK,)
 RICHARD A as treasurer;)
 CROWE PAC, and LAZARD, ROBERT) AF# 2673
 W. MR. as treasurer;)
 EDWARDS WILDMAN PAC INC, and) AF# 2674
 KOTLER, KEITH as treasurer;)
 I.U.O.E LOCAE 15 POLITICAL ACTION) AF# 2675
 COMMITTEE, and BURNS, ROBERT J. as)
 treasurer;)
 IMMIGRATION911, LLC, and STANLEY) AF# 2676
 P DULL as treasurer;)
 INT LONGSHOREMENS ASSOC (ILA)) AF# 2677
 LOCAL 1291 POLITICAL ACTION)
 COMMITTEE, and MARTIN MASCUILLI)
 as treasurer;)
 KENTUCKY FORWARD PAC, and) AF# 2678
 WAYNE STRATTON as treasurer;)
 LIBERTARIAN PARTY OF INDIANA,) AF# 2679
 and TODD SINGER as treasurer;)
 LOUISIANA SHERIFFS AND DEPUTIES) AF# 2680
 POLITICAL ACTION COMMITTEE, and)
 CAZES, MIKE as treasurer;)
 MADISON PAC; THE, and AHERN,) AF# 2681
 BRIAN J. MR. as treasurer;)
 NATIONAL TANK TRUCK CARRIERS) AF# 2682
 INC POLITICAL ACTION COMMITTEE,)
 and WILLIAM A USHER as treasurer;)

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PLUMBERS AND PIPEFITTERS LOCAL) AF# 2684
UNION #25 FEDERAL POLITICAL)
ACTION COMMITTEE FUND, and W)
THOMAS MCCUNE JR as treasurer;)

WESTERN SUGAR COOPERATIVE) AF# 2687
POLITICAL ACTION COMMITTEE, and)
KENT, J. MR. WIMMER as treasurer;)
WOMEN'S CAMPAIGN FORUM, and) AF# 2688
SIOBHAN BENNETT as treasurer;)

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 01, 2013 the Commission took the following actions on the Reason To Believe Recommendation – 2012 30 Day Post-General Report (Unauthorized Filers) For The Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 29, 2013, on the following committees:

AF#2671 Decided by a vote of 5-0 to: (1) find reason to believe that CHIANG PATEL AND YERBY INC PAC, and DAVID W HAYS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2672 Decided by a vote of 5-0 to: (1) find reason to believe that CLEAN ENERGY PAC OF IBERDROLA RENEWABLES, INC., and GLICK, RICHARD A as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil

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money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2673 Decided by a vote of 5-0 to: (1) find reason to believe that CROWE PAC, and LAZARD, ROBERT W. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2674 Decided by a vote of 5-0 to: (1) find reason to believe that EDWARDS WILDMAN PAC INC, and KOTLER, KEITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2675 Decided by a vote of 5-0 to: (1) find reason to believe that I.U.O.E LOCAL 15 POLITICAL ACTION COMMITTEE, and BURNS, ROBERT J. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2676 Decided by a vote of 5-0 to: (1) find reason to believe that IMMIGRATION911, LLC, and STANLEY P DULL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2677 Decided by a vote of 5-0 to: (1) find reason to believe that INT LONGSHOREMENS ASSOC (ILA) LOCAL 1291 POLITICAL ACTION COMMITTEE, and MARTIN MASCULLI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2678 Decided by a vote of 5-0 to: (1) find reason to believe that KENTUCKY FORWARD PAC, and WAYNE STRATTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2679 Decided by a vote of 5-0 to: (1) find reason to believe that LIBERTARIAN PARTY OF INDIANA, and TODD SINGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would

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be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2680 Decided by a vote of 5-0 to: (1) find reason to believe that LOUISIANA SHERIFFS AND DEPUTIES POLITICAL ACTION COMMITTEE, and CAZES, MIKE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2681 Decided by a vote of 5-0 to: (1) find reason to believe that MADISON PAC; THE, and AHERN, BRIAN J. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2682 Decided by a vote of 5-0 to: (1) find reason to believe that NATIONAL TANK TRUCK CARRIERS INC POLITICAL ACTION COMMITTEE, and WILLIAM A USHER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2684 Decided by a vote of 5-0 to: (1) find reason to believe that PLUMBERS AND PIPEFITTERS LOCAL UNION #25 FEDERAL POLITICAL ACTION COMMITTEE FUND, and W THOMAS MCCUNE JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2687 Decided by a vote of 5-0 to: (1) find reason to believe that WESTERN SUGAR COOPERATIVE POLITICAL ACTION COMMITTEE, and KENT, J. MR. WIMMER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2688 Decided by a vote of 5-0 to: (1) find reason to believe that WOMEN'S CAMPAIGN FORUM, and SIOBHAN BENNETT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 2, 2013
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 2, 2013

W. Thomas McCune, Jr., in official capacity as Treasurer
Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund
4600 - 46th Avenue
Rock Island, IL 61201

C00137794
AF#: 2684

Dear Mr. McCune:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 30 Day Post-General Report of Receipts and Disbursements in a calendar year in which a regularly scheduled general election is held. This report, covering the period through November 26, 2012, shall be filed no later than December 6, 2012. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on December 13, 2012, seven (7) days late.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On April 1, 2013, the FEC found that there is reason to believe ("RTB") that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before December 6, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$145. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$145 is due within forty (40) days of the finding, or by May 11, 2013, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive
Level of Activity: \$11,753
Number of Days Late: 7
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your

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committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 11, 2013. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

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action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ellen L. Weintraub
Chair

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$145 for the 2012 Post-General Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by May 11, 2013. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund

FEC ID#: C00137794

AF#: 2684

PAYMENT DUE DATE: May 11, 2013

PAYMENT AMOUNT DUE: \$145

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FEC OFFICE OF
ADMIN REVIEW

2013 MAY 10 PM 12:07

May 9, 2013

Federal Election Commission
Office of Administrative Review
999 E Street, NW
Washington, DC 20463

C00137794
AF#: 2684

Dear Ellen,

My name is Tameka Toney and I am a Union Secretary for the Plumbers and Pipefitters Local Union #25. I am responsible for completing the FEC reports for my supervisor, W. Thomas McCune, to approve before submitting. During the 2012 Election filing season, our local union was transitioning between secretaries. The transition was abrupt and fraught with challenges as major issues with our financial and political record keeping needed to be corrected. I was delegated the task of not only training the new secretary, but I was also promoted and given the responsibility of filing the Federal Political Committee Reports. There was limited in-house training and knowledge of how to file the reports and needless to say, I was overwhelmed.

I am asking the Federal Election Committee to waive the late filing fee not because I believe I deserve special treatment, but rather for the following reasons:

1. The number of previous civil money penalties assessed against our committee is zero, denoting a long standing respect of, and adherence to, FEC filing deadlines
2. My best efforts to ensure timely filing all of reports were surely given, notwithstanding the reasonably unforeseen circumstances that were out of my control.

If the civil penalty fine of \$145 cannot be waived, I ask then that the fine be stayed and only become active if a similar incident occurs within the next filing cycle of the 2014 election season. I am confident that this incident will never occur again under my watch. I now have the expertise and wherewithal to manage the tasks that have been delegated to me in regards to the FEC filings.

Your consideration of my request is deeply appreciated.

Sincerely,



Tameka Toney
c/o
W. Thomas McCune Jr.
Business Manager

WTM/TLT
Enclosure

811E6926051



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

May 10, 2013

W. Thomas McCune, Jr., in official capacity as Treasurer
Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund
4600 46th Avenue
Rock Island, IL 61201

C00137794

AF#: 2684

Dear Mr. McCune:

On May 10, 2013, the Commission received the written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding the challenge, please contact this Office on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in cursive script that reads "Rhiannon Magruder".

Rhiannon Magruder
Acting Reviewing Officer
Office of Administrative Review

13092693119

Date: May 13, 2013

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2684

**Committee Name: Plumbers and Pipefitters Local Union #25 Federal Political Action
Committee Fund**

Committee ID#: C(t)137794

Committee Address (if different than in RTB letter): N/A

Treasurer Name (if different than in RTB finding): N/A

Attachments:

- **Copy of RTB Circulation Report, dated March 29, 2013 and RTB Certification, dated April 2, 2013 (Y/N): Previously Forwarded**
- **Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y**
-
- **Other Relevant Telecoms (Y/N): N**
- **Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N**
- **RAD Staff Declaration (Y/N): Y**
 - 2012 30 Day Post-General Report Notices, dated September 21, 2012 and November 12, 2012.**
 - Non-Filer Letter, dated December 14, 2012.**
 - RTB Letter, dated April 2, 2013.**
- **Other RAD Information: (Y/N): N**

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Delivery Notification

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1Z WF5 860 A2 9928 088 0
Reference Number(s): RAD, 2684
Service: NEXT DAY AIR
Special Instructions: ADULT SIGNATURE REQUIRED
Shipped/Billed On: 04/02/2013
Delivered On: 04/03/2013 10:27 A.M.
Delivered To: 4600 46TH AVE
 ROCK ISLAND, IL, US 61201

Signed By:

SCOTT

[illegible]

Location: RECEPTION

Thank you for giving us this opportunity to serve you.

**Sincerely,
UPS**

Tracking results provided by UPS: 04/04/2013 5:07 P.M. ET

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DECLARATION OF KRISTIN DECARMINE

1. I am the Acting Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Acting Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund:
 - A) Report Notices, dated October 1, 2012 and November 12, 2012, referencing the 2012 30 Day Post-General Report (sent via electronic mail to: tom@lu25.org);
 - B) Non-Filer Letter, dated December 14, 2012, referencing the 2012 30 Day Post-General Report;
 - C) Reason-to-Believe Letter, dated April 2, 2013 referencing the 2012 30 Day Post-General Report.
3. I hereby certify that I have searched the Commission's public records and find that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund filed the 2012 30 Day Post-General Report with the Commission on December 13, 2012.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 31st day of May, 2013.

Kristin DeCarmin

Kristin DeCarmin
Acting Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission

13092693122



GENERAL ELECTION REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACs

October 1, 2012

CURRENT REPORT DUE

I. QUARTERLY FILERS THAT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Pre-General ²	10/01/12 - 10/17/12	10/22/12	10/25/12
Post-General	10/18/12 - 11/26/12	12/06/12	12/06/12

II. QUARTERLY FILERS THAT DO NOT MAKE GENERAL ELECTION CONTRIBUTIONS OR EXPENDITURES FROM OCTOBER 1 THROUGH OCTOBER 17³

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Post-General	10/01/12 - 11/26/12	12/06/12	12/06/12

REPORTING SCHEDULE FOR REMAINDER OF 2012

REPORT	REPORTING PERIOD ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	11/26/12 - 12/31/12	01/31/13	01/31/13

[Click here for Supplemental Filing Information](#)

¹A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

²Required only if committee makes contributions or expenditures in connection with the general election during the reporting period.

³Committees that made general election contributions or expenditures before October 1 and did not previously disclose them must also follow Chart I.

2012 SUPPLEMENTAL FILING INFORMATION PACs AND PARTY COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

All Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file either quarterly or monthly reports in 2012. See 11 CFR 104.5(c). Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e). See also 11 CFR 104.18 and 100.19.

- Web Page: Electronic Filing Page
- Campaign Guide: Nonconnected Committees (Nonconnected), pp. 51-53 [PDF]; Corporations and Labor Organizations (SSF), pp. 49-51 [PDF]; Political Party Committees (Party), pp. 69-71 [PDF].

Paper Filing -- Meeting the Filing Deadline

Paper report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e). See also 11 CFR 100.19.

- Web Page: Link to Paper Forms (for downloading and printing)
- Campaign Guide: Nonconnected, pp. 47-48 [PDF]; SSF, pp. 45-46 [PDF]; Party, p. 65 [PDF].

CHANGE IN FILING FREQUENCY

Committees able to change their reporting schedule (for example, from monthly to quarterly) who wish to do so must notify the Commission in writing and may change their filing frequency no more than once per calendar year. See 11 CFR 104.5(c).

- Web Page: Filing Frequency by Type of Committee
- Campaign Guide: Nonconnected, p. 51 [PDF]; SSF, p. 49 [PDF]; Party, p. 67 [PDF].

2012 REPORTING SCHEDULE

- Web Page: 2012 Reporting Dates Page
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

PRE-ELECTION REPORTING

Quarterly filing committees that make contributions or expenditures (including independent expenditures) in connection with an election must also file a Pre-Election Report, if the activity was not previously reported. See 11 CFR 104.5(c)(1)(ii).

- Web Page: 2012 Congressional Pre-Primary Reporting Dates Page
- The Record:
 - FEC Record Blog: Reporting
 - January 2012 issue [PDF]
- Campaign Guide: Nonconnected, pp. 49-51 [PDF]; SSF, pp. 46-48 [PDF]; Party, pp. 67-68 [PDF].

COMPLIANCE

Treasurer Responsibility

Committee treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceeding [PDF]
- Campaign Guide: Nonconnected, pp. 3-4 [PDF]; SSF, pp. 1-2 [PDF]; Party, pp. 6-7 [PDF].

Administrative Fine Program

Failure to file reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- or non-filers). See 11 CFR 111.43(b). See generally, 11 CFR Part 111 Subpart B. See also 11 CFR 111.43.

- Web Page: Administrative Fine Program Page
- Campaign Guide: Nonconnected, pp. 48-49 [PDF]; SSF, p. 46 [PDF]; Party, p. 66 [PDF].

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Party committees and Leadership PACs must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,700 during the applicable reporting period (see page 1 of this notice). See 11 CFR 104.22 and 11 CFR 110.17(f).

- The Record: March 2009 issue [PDF]

48- AND 24-HOUR REPORTS OF INDEPENDENT EXPENDITURES

Any PAC or Party Committee that makes independent expenditures in 2012 may have to disclose this activity within 48- or 24-hours based upon the date and amount of the expenditure.

See 11 CFR 104.4(b)(2) and (c). See generally, 11 CFR 104.4.

- Web Page: State-by-state chart of 2012 48- and 24-hour periods for independent expenditures
- Campaign Guide: Nonconnected, pp. 72-74 [PDF]; SSF, pp. 65-67 [PDF]; Party, pp. 87-89 [PDF].

These reports are not required when a PAC or Party Committee makes a contribution directly to a candidate.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



GENERAL ELECTION

REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

November 12, 2012

****** REMINDER ******

All party committees and PACs (nonconnected committees and separate segregated funds) must file a Post-General Election Report.

Reports sent by Registered or Certified Mail must be postmarked by the mailing deadline (December 6, 2012). If using Overnight Mail, the delivery service must receive the report by the mailing deadline (December 6, 2012). Otherwise, the report must be received by the filing deadline (December 6, 2012).

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100

13092693126



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 14, 2012

RQ-7

W THOMAS MCCUNE JR, TREASURER
PLUMBERS AND PIPEFITTERS LOCAL UNION #25 FEDERAL POLITICAL ACTION COMMITTEE
FUND
4600 - 46TH AVENUE
ROCK ISLAND, IL 61201

IDENTIFICATION NUMBER: C00137794

REFERENCE: POST-GENERAL REPORT 10/1/2012 - 11/26/2012

DEAR TREASURER:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced report of receipts and disbursements or failed to file a report covering the entire reporting period as required by the Federal Election Campaign Act, as amended.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463. Please note that electronic filers must submit their reports electronically, as per 11 CFR §104.18. A copy of the report or relevant portions must also be filed with the Secretary of State or equivalent State officer unless the State is exempt from the federal requirement to receive and maintain paper copies. You can verify the Commission's receipt of any documents submitted by your committee on the FEC website at www.fec.gov.

The failure to timely file a complete report may result in civil money penalties, an audit or legal enforcement action. The civil money penalty calculation for late reports does not include a grace period and begins on the day following the due date for the report. Due to heightened security screening measures, delivery of mail by the US Postal Service may be delayed. The Commission recommends that you submit your report via overnight delivery or courier service.

If you have any questions regarding this matter, please contact Marlene Colucci in the Reports Analysis Division on our toll free number (800)424-9530. Our local number is (202)694-1130.

Sincerely,

Debbie Chacona

Debbie Chacona
Assistant Staff Director
Reports Analysis Division (RAD)

11230002833127



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 JUN -4 AM 9:39

SENSITIVE

June 3, 2013

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Acting Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2684 – Plumbers and Pipefitters
Local Union #25 Federal Political Action Committee Fund and W. Thomas
McCune, Jr., in his official capacity as Treasurer (C00137794)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

13092693128



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 3, 2013

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2684 – Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer (C00137794)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$145 civil money penalty.

Reason-to-Believe Background

The 2012 30 Day Post-General Report was due on December 6, 2012. The respondents filed the report on December 13, 2012, 7 days late. The report is not election sensitive and was filed within 30 days of the due date; therefore, the report is considered late. 11 C.F.R. §§ 111.43(d)(1) and (e)(1).

On April 1, 2013, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 30 Day Post-General Report and also made a preliminary determination that the civil money penalty was \$145 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter dated April 2, 2013 was mailed to the respondents' address of record by the Reports Analysis Division ("RAD") to notify them of the Commission's RTB findings and civil money penalties.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a political committee not authorized by a candidate shall file, in an election year, a post-general election report no later than 30 days after any general election. 2 U.S.C. § 434(a)(4)(A)(iii) and 11 C.F.R. § 104.5(c)(1)(iii). If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than the filing deadline to be timely filed. 2 U.S.C. § 434(a)(5), and 11 C.F.R. §§ 100.19(b) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On May 10, 2013, the Commission received the written response ("challenge") from the Committee's reports preparer, Ms. Tameka Toney, challenging the RTB finding. The challenge states:

"...During the 2012 Election filing season, our local union was transitioning between secretaries. The transition was abrupt and fraught with challenges as major issues with our financial and political record keeping needed to be corrected. I was delegated the task of not only training the new secretary, but I was also promoted and given the responsibility of filing the [FEC] reports. There was limited in-house training and knowledge of how to file the reports and needless to say, I was overwhelmed..."

The challenge requests that the penalty be waived considering the Committee's previous compliance record and Ms. Toney's best efforts to file. In the alternative, the challenge requests "...that the fine be stayed and only become active if a similar incident occurs within the [2014 election cycle]..." Ms. Toney concludes by affirming future compliance.

Analysis

According to RAD telecoms (written records of telephone conversations), Ms. Toney called RAD on December 12, 2012 to verify the 2012 30 Day Post-General Report filing requirement applied to the Committee. The RAD Analyst clarified that all political action committees are required to file the report in an election year. Ms. Toney acknowledged her misunderstanding of the filing requirement and stated she thought the filing requirement was dependent on the presence of activity during the coverage period.

While Ms. Toney may not have personally understood the filing requirement, Commission records show that on November 10, 2012, a reminder General Election Report Notice was sent to "tom@lu25.org," the email address disclosed on the Committee's most recent Statement of Organization. The reminder notice clearly stated: "All party committees and PACs (nonconnected committees and separate segregated funds) must file a Post-General Election Report."

On December 14, 2012, RAD sent a non-filer notice to the Committee's address of record notifying the respondents that the 2012 30 Day Post-General Report had not been filed. On that same day, the Commission received the Committee's report. The report was mailed via USPS Express Mail with a postmark date of December 13; therefore, the 2012 30 Day Post-General Report was considered filed on December 13, 2012, 7 days late. 2 U.S.C. § 434(a)(5), and 11 C.F.R. §§ 100.19(b) and 104.5(e).

Inexperience of committee staff and a committee's failure to know filing dates are included at 11 C.F.R. § 111.35(d) as examples of circumstances that will not be considered reasonably unforeseen and beyond the respondents' control. Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$145 civil money penalty.

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2684 involving Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2684 that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$145 civil money penalty; and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

Attachments

- Attachment 1 – Challenge Received from Respondents
- Attachment 2 –
- Attachment 3 – Declaration from RAD
- Attachment 4 – Declaration from OAR

DECLARATION OF RHIANNON MAGRUDER

1. I am the Acting Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Acting Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2012 30 Day Post-General Report is due December 6, 2012. If the report is sent by Express Mail with delivery confirmation, it must be postmarked no later than December 6, 2012 to be timely filed. Reports sent by first class mail must be received by the close of business on December 6, 2012 to be timely filed.
3. It is the practice of the Reports Analysis Division to document all calls to or from committees regarding a letter they receive or any questions relating to the FECFile software or administrative fine regulations, including due dates of reports and filing requirements.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a. Cover Page, Summary Page, and Envelope Replacement Page for Incoming Documents for the 2012 30 Day Post-General Report filed by Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer. According to the Commission's records, the report was filed on December 13, 2012 and covers the period from October 1 through November 26, 2012.
5. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 3rd of June, 2013.

Rhiannon Magruder

Rhiannon Magruder
Acting Reviewing Officer
Office of Administrative Review
Federal Election Commission

13092693132

**FEC
FORM 3X**

**REPORT OF RECEIPTS
AND DISBURSEMENTS**
For Other Than An Authorized Committee

RECEIVED

2012 DEC 14 AM 11:33

1. NAME OF COMMITTEE (In full) TYPE OR PRINT ▼ Example: If typing, type over the lines. 12FE4M5 FEC MAIL CENTER

Plumbers And Pipefitters Local Union #25
Federal PAC Fund

ADDRESS (number and street) 4600 46th Ave
Check if different than previously reported. (ACC) Rock Island IL 61201-1

2. FEC IDENTIFICATION NUMBER ▼ CITY ▲ STATE ▲ ZIP CODE ▲

C00137794

3. IS THIS REPORT NEW (N) OR AMENDED (A)

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)
July 15 Quarterly Report (Q2)
October 15 Quarterly Report (Q3)
January 31 Year-End Report (YE)
July 31 Mid-Year Report (Non-election Year Only) (MY)
Termination Report (TER)

(b) Monthly Report Due On:

Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11) (Non-Election Year Only)
Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12) (Non-Election Year Only)
Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)

(c) 12-Day PRE-Election Report for the:

Primary (12P) General (12G) Runoff (12R)
Convention (12C) Special (12S)

Election on

In the State of

(d) 30-Day POST-Election Report for the:

General (30G) Runoff (30R) Special (30S)

Election on

In the State of IL

5. Covering Period

10/01/2012

through

11/26/2012

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer W. THOMAS McCune Jr.

Signature of Treasurer

W. Thomas McCune Jr.

Date

12/13/2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.

Office Use Only

FEC FORM 3X
Rev. 12/2004

**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

Plumbers and Pipefitters Local Union #25

Report Covering the Period:

From:

10'01'2012

To:

11'26'2012

**COLUMN A
This Period**

**COLUMN B
Calendar Year-to-Date**

6. (a) Cash on Hand
January 1,

2012

2,381.65

(b) Cash on Hand at
Beginning of Reporting Period.....

4,409.39

(c) Total Receipts (from Line 19)

3,672.53

34,788.03

(d) Subtotal (add Lines 6(b) and
6(c) for Column A and Lines
6(a) and 6(c) for Column B)

8,081.92

37,169.68

7. Total Disbursements (from Line 31)

8,081.92

37,169.68

8. Cash on Hand at Close of
Reporting Period
(subtract Line 7 from Line 6(d))

0.00

0.00

9. Debts and Obligations Owed TO
the Committee (Itemize all on
Schedule C and/or Schedule D)

10. Debts and Obligations Owed BY
the Committee (Itemize all on
Schedule C and/or Schedule D)

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:

Federal Election Commission
899 E Street, NW
Washington, DC 20463

Toll Free 800-424-9530
Local 202-694-1100

11270802695474

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
 The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input checked="" type="checkbox"/> USPS Express Mail	Postmarked 12/13/12
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
CHM12 PREPARER	12/14/12 DATE PREPARED

(3/2005)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA OVERNIGHT DELIVERY

June 3, 2013

W. Thomas McCune, Jr., in official capacity as Treasurer
Plumbers and Pipefitters Local Union #25
Federal Political Action Committee Fund
4600 46th Avenue
Rock Island, IL 61201

C00137794

AF#: 2684

Dear Mr. McCune:

On April 1, 2013, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2012 30 Day Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$145 based on the schedules of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer Recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463 or via facsimile (202-208-3333). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written responses or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in these matters.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Rhianon Magruder
Acting Reviewing Officer
Office of Administrative Review

13092693136



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 JUN 19 AM 10:47

June 19, 2013

MEMORANDUM

SENSITIVE

To: The Commission

Through: Alec Palmer *for PCO*
Staff Director

From: Patricia C. Orrock *PCO*
Chief Compliance Officer

Rhiannon Magruder *RM*
Acting Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2684 – Plumbers and Pipefitters
Local Union #25 Federal Political Action Committee Fund and W. Thomas
McCune, Jr., in his official capacity as Treasurer (C00137794)

On April 1, 2013, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2012 30 Day Post-General Report. The Commission also made a preliminary determination that the civil money penalty was \$145 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 10, 2013, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer Recommendation ("ROR") dated June 3, 2013 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. They submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$145.

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f). The Committee has indicated it plans to pay the \$145 civil money penalty.

13092693137

OAR Recommendations

- 1) Adopt the Reviewing Officer recommendation for AF# 2684 involving Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, in making the final determination;
- 2) Make a final determination in AF# 2684 that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$145 civil money penalty; and
- 3) Send the appropriate letter.

Acting Reviewing Officer: Rhiannon Magruder

13092693138

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation:) AF 2684
Plumbers and Pipefitters Local Union)
#25 Federal Political Action Committee)
Fund and W. Thomas McCune, Jr., in his)
official capacity as Treasurer)
(C00137794))

CERTIFICATION

I, Shelley E. Garr, Deputy Secretary of the Federal Election Commission,
do hereby certify that on July 05, 2013, the Commission decided by a vote of 5-
0 to take the following actions in AF# 2684:

1. Adopt the Reviewing Officer recommendation for AF# 2684 involving Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2684 that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and W. Thomas McCune, Jr., in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a \$145 civil money penalty.
3. Send the appropriate letter.

Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub
voted affirmatively for the decision.

Attest:

July 5, 2013
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary of the Commission

13092693139



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 12, 2013

VIA OVERNIGHT DELIVERY

W. Thomas McCune, Jr., in official capacity as Treasurer
Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund
4600 46th Avenue
Rock Island, IL 61201

C00137794
AF#: 2684

Dear Mr. McCune:

On April 1, 2013, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2012 30 Day Post-General Report. By letter dated April 2, 2013, the Commission sent notification of the RTB finding that included a civil money penalty calculated at RTB of \$145 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 10, 2013, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$145 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on June 3, 2013.

On July 5, 2013, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$145. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

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At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS

4. Partial Payments

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

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5. Settlement Offers

If you make a payment in an amount less than the civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Ellen L. Weintraub
Chair

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ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$145 for the 2012 30 Day Post-General Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund

FEC ID#: C00137794

AF#: 2684

PAYMENT AMOUNT DUE: \$145

EOR: Plumbers and Pipefitters Local Union #25 Federal Political Action Committee Fund

FEC ID#: C00137794

AF#: 2684

PAYMENT AMOUNT DUE: \$145

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FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 08/02/2013

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usbank.

St. Louis GA Lockbox
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	1	Y-3020739	\$145.00	\$145.00